

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Thomas D. Reyes	§	Art Unit:	3696
		§		
Serial No.:	10/634,635	§	Confirmation No.:	7200
		§		
Filed:	08/05/2003	§	Examiner:	Ojo O. Oyebisi
		§		
For:	Method and System for	§	Atty. Dkt. No.:	200901426-1
	Effecting Payment by	§		(HPC.0874US)
	Checks Through the Use of	§		
	Image Replacement	§		
	Documents			

Mail Stop Appeal Brief-Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REPLY TO NOTICE OF NON-COMPLIANT APPEAL BRIEF
DATED NOVEMBER 17, 2009 AND
SUMMARY OF TELEPHONIC INTERVIEW

Dear Sir:

The Notification of Non-Compliant Appeal Brief indicated that the Appeal Brief was defective because the Appellant argued the § 112, ¶ 1, rejection. The notification indicated that the § 112, ¶ 1, rejection was withdrawn in the Advisory Action dated May 14, 2009. However, the Advisory Action only indicated that the § 101 rejection had been overcome and withdrawn. There is no statement regarding the § 112, ¶ 1, rejection in the Advisory Action.

In a telephonic interview between the undersigned and Examiner Ojo O. Oyebisi on December 16, 2009, it was agreed that the Advisory Action indicated that the § 101 rejection was overcome, but that the Advisory Action did not reference the § 112, ¶ 1, rejection. Therefore, it was also agreed that the Appeal Brief submitted on August 12, 2009 is **not** defective. Therefore, a corrected Appeal Brief is not needed.

Appl. No. 10/634,635
Response to Notice of Non-Compliant
Appeal Brief and Summary of Telephonic Interview

Withdrawal of the Notification of Non-Compliant Appeal Brief is therefore respectfully requested.

Respectfully submitted,

Date: December 16, 2009

/Dan C. Hu/

Dan C. Hu
Registration No. 40,025
TROP, PRUNER & HU, P.C.
1616 South Voss Road, Suite 750
Houston, TX 77057-2631
Telephone: (713) 468-8880
Facsimile: (713) 468-8883